

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY MAY 17, 2004 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Isabel B. Milano, Trustee
David A. Klassen, Trustee
Richard J. Livingston, Trustee
Jonathan A. Siegel, Trustee
Donald P. Marra, Administrator
Lawrence S. Schopfer, Clerk-Treasurer (until 8:15 p.m.)
Louis C. Grieco, Police Chief
Gregory R. Nilsson, Superintendent of Public Works
Lino J. Sciarretta, Village Attorney's Office

Mayor Flood called the meeting to order. Trustee Milano made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Klassen and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Trustee Milano made a motion to adopt the minutes of the regular meeting of the Board of Trustees held May 3, 2004. Trustee Siegel seconded the motion and it was unanimously approved with Trustee Livingston abstaining from the vote.

Mayor Flood read correspondence from Nick Yuelys regarding a proposed Eagle Scout trails project. A copy of this piece of correspondence is attached hereto as a part of these minutes.

Mayor Flood introduced Donald P. Marra as the next Village Administrator

**RESOLUTION 2004-49
APPOINTMENT OF VILLAGE ADMINISTRATOR**

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

BE IT RESOLVED, that Donald P. Marra is hereby appointed to the office of Village Administrator for the Village of Irvington for a term of three years, such term to commence on May 18, 2004 at an annual salary of \$136,500.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

Mr. Marra thanked the Board for his appointment as Village Administrator and expressed his appreciation to his family for their support.

Mayor Flood opened the public hearing to consider a proposed local law to amend Chapter 110 of the Village Code pertaining to electrical inspections. Mayor Flood provided some background on the proposed local law. After some further discussion, Trustee Milano made a motion to close the public hearing. Trustee Siegel seconded the motion and it was unanimously approved.

RESOLUTION 2004-50

ADOPTION OF A LOCAL LAW TO AMEND CHAPTER 110 OF THE VILLAGE CODE PERTAINING TO ELECTRICAL INSPECTIONS

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

WHEREAS, the Village Board has completed a public hearing on the proposed local law to amend Chapter 110 of the Village Code pertaining to electrical inspections, and

WHEREAS, the Village Board has reviewed the proposed action to adopt the local law pursuant to the State Environmental Quality Review Act and has determined that such action is classified as Type II and, accordingly, will have no adverse or negative impacts on the environment, now therefore be it

RESOLVED, local law to amend Chapter 110 of the Village Code pertaining to electrical inspections is hereby adopted.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

Village Administrator Donald Marra presented the 2004 Draft Stormwater Management Program annual report.

RESOLUTION 2004-51

ACCEPTANCE OF THE 2004 DRAFT STORMWATER MANAGEMENT PROGRAM ANNUAL REPORT

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

WHEREAS, the Village of Irvington is required to prepare a Stormwater Management Program annual report, and

WHEREAS, the Village Board presented the 2004 Draft Stormwater Management Program annual report on May 17, 2004, now therefore be it

RESOLVED, to accept the 2004 Draft Stormwater Management Program annual report.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-52

AUTHORIZATION FOR THE ACQUISITION OF REAL PROPERTY (SHEET 11, LOT 59B) BY EMINENT DOMAIN

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

WHEREAS, the Board of Trustees of the Village of Irvington (the "Village") has identified the need for acquiring property in furtherance of the Village's public purpose of promoting open space preservation in accordance with the Village's Comprehensive Plan; and

WHEREAS, the Village has identified a 2.02 acre parcel of property known formerly as the Queller property located in the vicinity of Harriman Road and the Saw Mill River Parkway, Village of Irvington, Town of Greenburgh, Westchester County, New York, for acquisition (the "Property"); and

WHEREAS, the Village Board has reviewed the proposed action to authorize the acquisition of real property by eminent domain pursuant to the State Environmental Quality Review Act and has

determined that such action is classified as Type II and, accordingly, will have no adverse or negative impacts on the environment, now therefore be it

WHEREAS, the Village, by resolution of the Board of Trustees, may commence a proceeding under the provisions of the N.Y. Eminent Domain Procedure Law to acquire real property if an agreement can not be reached with the owner for the purchase thereof, now therefore be it

RESOLVED, that the Village is hereby authorized to exercise its powers of condemnation by eminent domain for the acquisition of the Property to further the promotion of open space preservation in the Village should an agreement with the Property owner not be reached for the purchase of the Property, and

FURTHER RESOLVED, that the Board of Trustees of the Village of Irvington hereby approves and authorizes the legal services to be performed by Thacher Proffitt & Wood LLP in connection with the commencement of proceedings pursuant to the N.Y. Eminent Domain Procedure Law for the acquisition of the Property.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-53

APPROVAL OF AN AGREEMENT WITH THE UNITED STATES SPECIALTY SPORTS ASSOCIATION, INC.

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

WHEREAS, the United States Specialty Sports Association, Inc. provides the services of umpires for sporting events run by the Village of Irvington, now therefore be it

RESOLVED, to approve the agreement between the United States Specialty Sports Association, Inc. and the Village of Irvington subject to final review and approval of Village counsel and to authorize the Village Administrator to execute said agreement.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-54

APPROVAL OF AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER FOR ACCESS TO COUNTY CLERK RECORDS

Trustee Klassen offered the following resolution, which was seconded by Trustee Milano and adopted:

WHEREAS, the County Clerk for the County of Westchester has offered to make available certain land records remotely through the use of a public display terminal at no charge, and

WHEREAS, in is necessary to execute an intermunicipal agreement with the County of Westchester which will govern the access to such records, now therefore be it

RESOLVED, to approve the intermunicipal agreement between the County of Westchester and the Village of Irvington and to authorize the Village Administrator to execute said agreement.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-55
RETURN OF 2003/04 TAX WARRANT BY THE CLERK-TREASURER

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

WHEREAS, the Clerk-Treasurer was issued a tax warrant dated May 20, 2003 to collect the Village Taxes for fiscal year 2003/04, and

WHEREAS, certain taxes remain unpaid requiring legal advertisement of such delinquencies, now therefore be it

RESOLVED, to accept the return of the 2003/04 tax warrant from the Clerk/Treasurer as appended to these minutes, and

FURTHER RESOLVED, to authorize the Clerk/Treasurer to add a fee of \$2 for each delinquent parcel to defray the cost of advertising said delinquent parcels.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-56
AUTHORIZATION TO INCLUDE CERTAIN UNPAID WATER RENTS AND PENALTIES IN THE 2004/05 ANNUAL TAX LEVY

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

WHEREAS, certain customer accounts of the Irvington Water Department currently have unpaid water rents and penalties, and

WHEREAS, Village Law §11-1118 provides for the inclusion of unpaid water rents and penalties in the annual tax levy, now therefore be it

RESOLVED, to authorize the Village Clerk-Treasurer to include the following unpaid water rents and penalties on the 2004/05 annual tax levy totaling \$6,485.27:

<u>Acct #</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
41-0010084-1	Broderick Nevin	84 Main St	146.06
41-0010139-1	What a Bagel Café	4 South Broadway	642.46
41-0040014-1	Buford Kate	14 Grinnell St	35.24
41-0060009-1	Merrill Charles	9 South Ferris St.	203.60
41-0060036-1	Kraus Peter	36 South Ferris St	215.20
41-0210006-1	Mel's Auto Body	6 South Broadway	103.48
41-0340018-1	Clivilles Robert	18 Manor Pond Lane	765.07
42-0010120-1	Kennedy James	113 Main St	34.34
42-0340020-1	Lambros Bros. Serv. Inc.	1 North Broadway	277.20
42-0410019-1	Nichlos Leslie H	19 North Ferris St	282.11
42-0420018-1	McHale Chris	18 North Eckar Street	456.26
42-0450005-1	Salvi Frank	3 North Buckhout Street	26.98
42-0450009-1	Crosby W. / Distant, T.	9 North Boukhout St	112.84
42-0480024-1	Laureen ,Paul	20 Riverview Road	718.74
42-0570018-1	Cifuentes, Hector	18 Hudson ave	83.40
42-0580174-1	Marinis, Nick/Alexandra	172 Peter Bont Road	55.27
42-1160090-1	Teichberg-sabath Trust	90 Highland Lane	36.80
42-1260129-1	Kapiloff David J.	129 Rutter Dubois Lane	694.20
43-0210163-1	Richards , Regina	163 South Broadway	367.95
43-0770014-1	Gleason , Edward / Maria	14 East Clinton Av	269.83
43-0820014-1	Sabharwal ,Hemant	14 Carla Lane	448.90
43-0950002-1	Alpern , Richard I.	2 Riverview Terrace	152.09
43-0980029-1	Williams Joseph	30 Sycamore Lane	357.25

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-57

AWARD OF CONTRACT FOR PAINTING LABOR RATES FOR VILLAGE HALL RENOVATIONS PROJECT (#2004-03)

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

WHEREAS, sealed bids were received and opened on April 14, 2004 for painting labor and material rates in connection with the renovation of Village Hall, and

WHEREAS, the low bidder, G. Fucci Corp., has withdrawn their bid due to an error in computation, now therefore be it

RESOLVED, to award contract 2004-03 (Painting) to the lowest responsible bidder, May Construction, for labor at \$72.84 per hour and a 5% markup for materials.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-58

AWARD OF CONTRACT FOR CERAMIC TILE INSTALLATION RATES FOR VILLAGE HALL RENOVATIONS PROJECT (#2004-05)

Trustee Klassen offered the following resolution, which was seconded by Trustee Livingston and adopted:

WHEREAS, sealed bids were received and opened on April 14, 2004 for ceramic tile labor rates in connection with the renovation of Village Hall, and

WHEREAS, the low bidder, G&R Bucci, has withdrawn their bid due to an error in computation, now therefore be it

RESOLVED, to award contract 2004-05 (Ceramic Tile) to the lowest responsible bidder, Construction Contractors of NY, for an estimated contract total of \$3,169.50.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

Trustee Klassen reported on Water Department activities including lead sampling, hydrant flushing, and markouts for GIS mapping. He also reported on a recent presentation at the Library by author Robert Massie.

Trustee Siegel reported on Department of Public Works activities including ongoing spring maintenance work, the availability of free compost material, and hydrant flushing.

Trustee Livingston reported on the Fire Department activities including a brush fire and the installation of a new communications antenna system. He also discussed ongoing Building Department activities, recent Architectural Review Board cases, and the Mother's Day luncheon at the Senior Citizens Center.

Trustee Milano discussed the rescheduled Celebrate Our Youth Day to be held on June 12, 2004 and Community Service Day to be held on May 25, 2004. She also reported on the activities of the Recreation and Parks Master Plan Committee.

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Chief Louis Grieco summarized the Police activity report for the month of April.

Trustee Milano made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Siegel and unanimously approved.

Upon reconvening after executive session, upon a motion duly made, seconded and unanimously approved, the Board approved the following salary modifications effective June 1, 2004:

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Bisgier, Elliott	Court Clerk	24.52/hr
Ruffler, Mary	Secy to the Administrator	45,450
Colantuono, Eileen	Interm. Typist	42,300
Fullerton, Sheila	Interm. Acct. Clerk-Typist	42,300
Kusiak, Ana Maria	Account Clerk	21.53/hr
Palermo, Sarah	P/T Interm. Acct. Clerk	11.39/hr
Brennen, James	School Crossing Guard	10.35/hr
Di Bianco, Ida	Secretary Police Chif	39,950
Brennen, James	Parking Enforc. Officer	16.07/hr
Ruffler, James	Fire Chief	3,700
Natkin, J.P.	Assist. Fire Chief	2,000
Mastropietro, Ken	Assist. Fire Chief	2,000
Costello, Donald	P/T laborer	16.81/hr
Lillo, Ronald	P/T Laborer	16.81/hr
Gasparre, Nick Sr.	Fire Inspector	14.00/hr
Gasparre, Nick Sr.	Fire Training Officer	2,600
Costello, Florence	Office Assist. - Bldg	47,450
Depaoli, Maureen	Sr. Recreation Leader	55,838
Coapman, Laura	Office Assist.	42,300
Armstrong, Joan	Coord. Senior Citizen Serv.	49,600
Angiolillo, Adam	Recreation Assistant	32,250
Rapp, Pamela	Public Relat. Assist.	20,000
Araujo, Diego	P/T laborer- Theater	13.14/hr
Mc Aleer, Mary Jane	P/T laborer- Theater	13.14/hr
Bernstein, Pamela	Librarian II	46,063
Strachan, Pamela	Childrens Librarian	51,419
Clausen, Jane	P/T Library Clerk	12.75/hr
Collier, Barbara	P/T Library Clerk	12.20/hr
Merrill, Lina	P/T Library Clerk	12.19/hr
Mitchell, Carole	P/T Library Clerk	12.19/hr
Murphy, Joy	P/T Library Clerk	12.75/hr
Reale, Dorothy	P/T Library Clerk	12.75/hr
Sloboda, Netta	P/T Library Clerk	12.75/hr
Szoke, Ester	P/T Library Clerk	12.75/hr
Clarke, P.J.	P/T Library Clerk	12.19/hr
Lin, Katherine	P/t Library Clerk	12.19/hr
Dibbern, Daniel	P/T Librarian	21.62/hr
Fondiller, Steve	P/T Librarian	21.62/hr
Katz, Carol	P/T Librarian	21.62/hr
Natter, Marian	P/T Librarian	21.62/hr
Sadewhite, Elizabeth	P/T Librarian	21.62/hr
Chin, Jennifer	P/T Library Page	6.73/hr
Mcelligott, Daniel	P/T Library Page	6.77/hr
Dawson, Tara	P/T Library Page	6.73/hr
Moon, Yae	P/T Library Page	6.73/hr

There being no further business, the meeting was adjourned.

Donald P. Marra, Village Administrator

Attachments